

FEDERAL REGULATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine Federal regulation, focusing on S. 128, to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns, S. 299, to amend chapter 8 of title 5, United States Code, to provide that major rules of the executive branch shall have no force or effect unless a joint resolution of approval is enacted into law, S. 358, to codify and modify regulatory requirements of Federal agencies, S. 602, to require regulatory reform, S. 1030, to reform the regulatory process to ensure that small businesses are free to compete and to create jobs, and S. 1189, to amend the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) to provide for regulatory impact analyses for certain rules, consideration of the least burdensome regulatory alternative, after receiving testimony from Senators Snowe, Roberts, Vitter, and Warner; and Cass R. Sunstein, Administrator, Office of Information and Regulatory Affairs, Office of Management and Budget.

MIDDLE CLASS FAMILIES

Committee on Health, Education, Labor, and Pensions: Committee concluded a hearing to examine middle class families, after receiving testimony from Jared Bernstein, Center on Budget and Policy Priorities, Washington, D.C.; Amanda Greubel, Central Community Schools Family Resource Center, DeWitt, Iowa; Thomas Clements, Oilfield CNC Machining LLC, Broussard, Louisiana; and Susan M. Sippelle, Englewood, New Jersey.

INDIAN REORGANIZATION ACT

Committee on Indian Affairs: Committee concluded an oversight hearing to examine the "Indian Reorganization Act" 75 years later, focusing on restoring

tribal homelands and promote self-determination, after receiving testimony from Frederick E. Hoxie, University of Illinois, Champaign; G. William Rice, University of Tulsa College of Law Native American Law Center, Tulsa, Oklahoma; Carole Goldberg, University of California Los Angeles School of Law; Steven J.W. Heeley, Akin, Gump, Strauss, Hauer and Feld LLP, and Jefferson Keel, National Congress of American Indians, both of Washington, D.C.; Richard Monette, University of Wisconsin Law School, Madison; John Echohawk, Native American Rights Fund, Boulder, Colorado; and Michael Finley, Confederated Tribes of the Colville Reservation, Nespelem, Washington.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S.1145, to amend title 18, United States Code, to clarify and expand Federal criminal jurisdiction over Federal contractors and employees outside the United States, with an amendment in the nature of a substitute; and

The nominations of Major General Marilyn A. Quagliotti, USAF (Ret.), of Virginia, to be Deputy Director for Supply Reduction, Office of National Drug Control Policy, Executive Office of the President, and Alfred Cooper Lomax, to be United States Marshal for the Western District of Missouri, and David L. McNulty, to be United States Marshal for the Northern District of New York, both of the Department of Justice.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of David H. Petraeus, of New Hampshire, to be Director of the Central Intelligence Agency, after the nominee, who was introduced by Senator Lieberman, testified and answered questions in his own behalf.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 43 public bills, H.R. 2305–2347; and 4 resolutions, H. Con. Res. 62; and H. Res. 327, 329–330 were introduced.

Pages H4525–28

Additional Cosponsors:

Pages H4529–30

Reports Filed: Reports were filed today as follows:

H. Res. 328, providing for consideration of the joint resolution (H.J. Res. 68) authorizing the limited use of the United States Armed Forces in support of the NATO mission in Libya; and providing for consideration of the bill (H.R. 2278) to limit the use of funds appropriated to the Department of Defense for United States Armed Forces in support of

North Atlantic Treaty Organization Operation Unified Protector with respect to Libya, unless otherwise specifically authorized by law (H. Rept. 112–114);

H.R. 828, to amend title 5, United States Code, to provide that persons having seriously delinquent tax debts shall be ineligible for Federal employment, with an amendment (Rept. 112–115);

H.R. 1470, to amend title 5, United States Code, to extend the probationary period applicable to appointments in the civil service, and for other purposes, with an amendment (Rept. 112–116); and

H.J. Res. 1, proposing a balanced budget amendment to the Constitution of the United States, with an amendment (Rept. 112–117). **Page H4525**

Speaker: Read a letter from the Speaker wherein he appointed Representative Fitzpatrick to act as Speaker pro tempore for today. **Page H4463**

Recess: The House recessed at 11:12 a.m. and reconvened at 12 noon. **Page H4471**

Journal: The House agreed to the Speaker's approval of the Journal by voice vote. **Pages H4472, H4505–06**

Member Resignation: Read a letter from Cesar A. Perales, Secretary of State, State of New York, wherein he notified the House that he received the resignation of Anthony D. Weiner as New York's Ninth Congressional District Representative in the United States House of Representatives. **Page H4472**

Whole Number of the House: The Speaker announced to the House that, in light of the resignation of the gentleman from New York, Mr. Weiner, the whole number of the House is 432. **Page H4472**

America Invents Act: The House passed H.R. 1249, to amend title 35, United States Code, to provide for patent reform, by a recorded vote of 304 ayes to 117 noes, Roll No. 491. Consideration of the measure began yesterday, June 22nd. **Pages H4480–H4505**

Rejected the Miller (NC) motion to recommit the bill to the Committee on the Judiciary with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 172 ayes to 251 noes, Roll No. 490. **Pages H4503–05**

Agreed to:

Smith (TX) Manager's amendment (No. 1 printed in part B of H. Rept. 112–111) that was debated on June 22nd that makes technical edits and necessary changes to more substantive issues, such as prior user rights and an additional oversight requirement for the PTO (by a recorded vote of 283 ayes to 140 noes, Roll No. 481); **Pages H4480–81**

Moore amendment (No. 4 printed in part B of H. Rept. 112–111) that directs the USPTO to develop methods for studying the diversity of patent applicants, including those applicants who are minorities,

women, or veterans. Any results of the study shall not be used for preferential treatment in the patent process; **Page H4484**

Jackson Lee (TX) amendment (No. 5 printed in part B of H. Rept. 112–111) that adds a sense of Congress that it is important to protect the rights of small businesses and inventors from predatory behavior that could result in cutting off innovation and may provide an undue advantage to large financial institutions and high-tech firms; **Pages H4484–86**

Luján amendment (No. 6 printed in part B of H. Rept. 112–111) that adds requirements to the satellite office location selection process to ensure that (1) the purposes, as described in the bill, of establishing satellite offices are achieved, (2) recruitment costs are minimized by considering the availability of knowledgeable personnel in the region, and (3) the economic impact to the region is considered; **Page H4486**

Peters amendment (No. 7 printed in part B of H. Rept. 112–111) that mandates a USPTO-led study on what USPTO, SBA, and other agencies can do to help small businesses obtain, maintain, and enforce foreign patents; **Pages H4486–87**

Speier amendment (No. 10 printed in part B of H. Rept. 112–111) that directs the PTO to prescribe a requirement that parties provide sufficient evidence to prove and rebut a claim of derivation; and **Pages H4490–91**

Conyers amendment (No. 9 printed in part B of H. Rept. 112–111) that restores language for calculation of 60-day period for application of patent term extension that the manager's amendment strikes (by a recorded vote of 223 ayes 198 noes, Roll No. 485. Agreed by unanimous consent that the earlier roll call vote taken on the Conyers amendment No. 9 be vacated). **Pages H4489–90, H4500**

Rejected:

Polis amendment (No. 8 printed in part B of H. Rept. 112–111) that sought to clarify that the new legislation would apply only to new tax planning patents, not already filed patents which would disclose patent information leaving the applicants vulnerable; **Pages H4487–89**

Conyers amendment (No. 2 printed in part B of H. Rept. 112–111) that sought to insert language to move the United States to a first to file system only upon a Presidential finding that other major patent authorities have adopted a similar one-year grace period (by a recorded vote of 105 ayes to 316 noes, Roll No. 482); **Pages H4481–82, H4498–99**

Baldwin amendment (No. 3 printed in part B of H. Rept. 112–111) that sought to strike Section 5, the "prior user rights" language, and conform H.R. 1249 to H.R. 1908, as passed by the U.S. House of Representatives on September 7, 2007, and S. 23, as

passed by the U.S. Senate on March 8, 2011 (by a recorded vote of 81 ayes to 342 noes, Roll No. 483);

Pages H4482–84, H4499–H4500

Sensenbrenner amendment (No. 12 printed in part B of H. Rept. 112–111) that sought to strike Section 3 of the legislation, which would convert the U.S. patent system from “first-to-invent” to “first-to-file” (by a recorded vote of 129 ayes to 295 noes, Roll No. 486);

Pages H4491–93, H4501

Manzullo amendment (No. 13 printed in part B of H. Rept. 112–111) that sought to eliminate the ability of the Director of the U.S. Patent and Trademark Office (USPTO) to set fees, retaining that authority for Congress (by a recorded vote of 92 ayes to 329 noes, Roll No. 487);

Pages H4493–94, H4501–02

Rohrabacher amendment (No. 14 printed in part B of H. Rept. 112–111) that sought to eliminate the burden of post-grant reviews and reexaminations on individual inventors and small businesses with 100 or fewer employees (by a recorded vote of 81 ayes to 342 noes, Roll No. 488); and

Pages H4494–95, H4502

Schock amendment (No. 15 printed in part B of H. Rept. 112–111) that sought to strike section 18 of the bill, the Transitional program for covered business method patents (by a recorded vote of 158 ayes to 262 noes with 1 voting “present”, Roll No. 489).

Pages H4495–98, H4503

Withdrawn:

Watt amendment (No. 11 printed in part B of H. Rept. 112–111) that was offered and subsequently withdrawn that would have added a severability clause protecting the remainder of the bill if the Supreme Court determines that certain sections or provisions are unconstitutional.

Page H4491

Agreed that the Clerk be authorized to make technical and conforming changes to reflect the actions of the House.

Page H4505

H. Res. 316, the rule providing for consideration of the bills (H.R. 2021) and (H.R. 1249), was agreed to yesterday, June 22nd.

Department of Defense Appropriations Act, 2012: The House began consideration of H.R. 2219, making appropriations for the Department of Defense for the fiscal year ending September 30, 2012. Further consideration was postponed.

Pages H4476–80, H4506–11

H. Res. 320, the rule providing for consideration of the bill, was agreed to by a recorded vote of 251 ayes to 173 noes, Roll No. 480, after the previous question was ordered by a yea-and-nay vote of 247 yeas to 168 noes, Roll No. 479.

Pages H4479–80

Presidential Messages: Read a message from the President wherein he notified Congress that the national emergency declared with respect to North

Korea is to continue in effect beyond June 26, 2011—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 112–40).

Page H4475

Read a message from the President wherein he notified Congress that the national emergency declared with respect to the Western Balkans is to continue in effect beyond June 26, 2011—referred to the Committee on Foreign Affairs and ordered printed (H. Doc. 112–41).

Pages H4475–76

Quorum Calls—Votes: One yea-and-nay vote and eleven recorded votes developed during the proceedings of today and appear on pages H4479, H4479–80, H4480–81, H4498, H4499, H4500, H4501, H4501–02, H4502, H4503, H4504–05, H4505. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 8:44 p.m.

Committee Meetings

MISCELLANEOUS MEASURES

Committee on Agriculture: Full Committee held a markup to approve the Activity Report of the Committee on Agriculture for the 1st Quarter of the 112th Congress as required by House Rule XI, clause d(1). The report was agreed to as amended.

OPPORTUNITIES AND BENEFITS OF AGRICULTURAL BIOTECHNOLOGY

Committee on Agriculture: Subcommittee on Rural Development, Research, Biotechnology, and Foreign Agriculture held a hearing to review opportunities and benefits of agricultural biotechnology. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Appropriations: Full Committee held a markup of the FY 2012 Financial Services Bill. The bill was ordered reported, as amended.

AFGHANISTAN AND THE PROPOSED DRAWDOWN OF U.S. FORCES

Committee on Armed Services: Full Committee held a hearing on Recent Developments in Afghanistan and the Proposed Drawdown of U.S. Forces. Testimony was heard from Michèle Flournoy, Undersecretary of Defense for Policy, Department of Defense; and ADM Michael G. Mullen, USN, Chairman, Joint Chiefs of Staff.

CONGRESSIONAL BUDGET OFFICE'S LONG-TERM BUDGET OUTLOOK

Committee on the Budget: Full Committee held a hearing entitled “The Congressional Budget Office’s Long-Term Budget Outlook.” Testimony was heard from Douglas W. Elmendorf, Director, CBO.